

May 7, 1973

SENATOR WHITNEY: Mr. President, there is a, a bill, are you talking about 449?

PRESIDENT: Yes sir. The A bill has been killed.

SENATOR WHITNEY: There is a 449A bill and it definitely says in the title of the bill that it has a fiscal impact from the general fund so the Chair is absolutely following the rules which, the motion which this Legislature has imposed upon him.

PRESIDENT: Alright. Senator Johnson was on his feet first here. Just a sec--Senator Johnson, go ahead.

SENATOR JOHNSON: Mr. Speaker, Members of the Legislature. The reason that we ask that 449A be withdrawn or the enacting clause withdrawn was that 449 does not go into effect until 75 and so there is no need for an A bill and there is no fiscal impact.

PRESIDENT: Very good. Senator Hasebroock. Senator Hasebroock. You're on sir, go ahead.

SENATOR HASEBROOCK: Mr. President, Members of the Legislature. I was going to say a great deal the same thing that Senator Johnson has said. The A bill has been withdrawn so there is no impact at this time, and I think this bill is in proper order to be read at this moment. I don't see any reason why we should pass over it.

PRESIDENT: Thank you sir. Senator Carpenter.

SENATOR CARPENTER: Well, I only rise to defend the fiscal analyst. He doesn't do anything except what he's told to do. He has no desire or has no position now or in the past and I hope in the future, to be criticized for anything. He's under the full control of the Chairman of the Budget Committee and all his staff is. He does nothing except what he's told to do. Now Senator Marvel, maybe you can explain why 449 is that position it now is.

PRESIDENT: Senator Marvel, do you care to respond?

SENATOR CARPENTER: --mike off)--if it had no fiscal impact as far as that's concerned, but I don't think we ought to blame the fiscal analyst.

SENATOR MARVEL: Well, first, first of all, Senator Cavanaugh, your point is not well taken and you've done this before and it's your right if you like, but the fiscal analyst is an employee of the Legislature despite what some may say to the contrary and all he was directed to do was to prepare a list of bills at our instigation which did not have impact on the general fund. That's exactly what he's done. Now, 449 had an A bill which Senator Johnson had killed. Now despite what some of you may think, if your bills, regardless of whether or not they had an accompanying A bill and I'm giving you the impression I get from the Attorney General's office, in conversation with other legislators who've also investigated this, if your bill does not specifically say in the body of the bill that the--a specific agency be directed to inform the State Board of Equalization that there is an impact of a specific amount of money which should be taken into consideration when they set the levy, then your bill does not have fiscal impact. Therefore, I just looked at 449, there is no A bill and I think Senator Johnson therefore, is correct in the fact that this has no fiscal impact. There's nothing in this bill I can see which indicates that any specific agency of State